Exhibit 15
In Support of
Non-Party Meta Platforms, Inc.'s
Motion for Protective Order

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By Email   April 24, 2024

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>   Re: **State of Texas et al. v. Google LLC, No. 4:20-CV-00957-SDJ**
>   **(E.D. Tex.) - 30(b)(6) Subpoenas Issued to Meta Platforms, Inc.**

Counsel:

      We write regarding the Plaintiff-States' March 29, 2024 Subpoena to Testify at a Deposition in a Civil Action, Google LLC's ("Google") March 29, 2024 Subpoena to Produce Documents, Information, or Objects, and Google's April 8, 2024 Subpoena to Testify at a Deposition in a Civil Action, commanding Meta to provide witness testimony and documents in *State of Texas et al. v. Google LLC*, No. 4:20-CV-00957-SDJ (E.D. Tex.) (the "Action").

      Further to Meta Platforms, Inc.'s ("Meta") letter dated April 17, 2024, Meta has identified two witnesses to provide testimony related to the requested deposition topics. In general, one witness will be able to cover topics related to the Network Bidding Agreement's negotiation, execution, and early implementation including Topic Nos. 1-22, 25, and 29-32. That witness will testify on May 2, 2024. Meta's other witness will be able to cover other NBA topics related to the later implementation of the Network Bidding Agreement (generally after 2020), including Topic Nos. 1, 8-13, 20, 21, 22, and 29, as well as the Topics in Google's April 8, 2024 Subpoena for which Meta has agreed to provide testimony. That witness will testify on April 30, 2024. Each witness will be available to testify for no longer than seven hours, and no more than 11 hours collectively.

      We have reviewed the Noticed Deposition Topics and write with a proposal as to what Meta can reasonably prepare witnesses to testify to in the short timeframe within which the Plaintiff-States and Google have demanded compliance with their subpoenas. The below

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proposal incorporates Meta's April 12, 2024 Responses and Objections to Plaintiffs' Subpoena. We are available to meet and confer.

      A.   <u>**Texas's March 29, 2024 Subpoena Topics**</u>

Meta will agree to provide 30(b)(6) witness testimony for certain of the Topics identified and subject to the objections stated below.

- **Texas Deposition Topic No. 1 (Bidding Agreement).** Meta will provide general testimony on the origination, development, negotiation, drafting, execution, and terms of the NBA, as well as the expected and actual operation and effects. Meta will also provide general testimony related to the implementation and operation of the Network Bidding Agreement.

- **Texas Deposition Topic No. 2 (Identity and Roles).** Meta will provide testimony on this topic to the extent the testimony is limited to the individual(s) most responsible at Meta for the origination, development, negotiation, execution, and operation of the NBA.

- **Texas Deposition Topic Nos. 3, 4 (Network Bidding Pilot Program).** Meta will provide general testimony on the implementation and operation of the Network Bidding Agreement, including testimony relating to the Network Bidding Pilot Program and the identity of certain individual(s) most responsible for the implementation and operation of the program.

- **Texas Deposition Topic No. 5 (Internal Communications)**. Meta will provide general testimony on its communications with Google regarding the origination, development, negotiation, drafting, execution, and terms of the Network Bidding Agreement. Meta will also provide general testimony over agreements similar to the Network Bidding Agreement that it has entered into with other parties.

- **Texas Deposition Topic No. 6 (Decision to Enter Into NBA)**. Meta will provide general testimony on the origination, development, negotiation, drafting, execution, and terms of the Network Bidding Agreement.

- **Texas Deposition Topic Nos. 7, 31 (Advantages Meta Received from Google).** Meta will provide general testimony on the origination, development, negotiation, drafting, execution, and terms of the Network Bidding Agreement. Meta will also provide general testimony related to the early implementation and operation of the Network Bidding Agreement.

- **Texas Deposition Topic Nos. 8, 9, 10 (Auction Timeouts).** Meta will provide general testimony on the origination, development, negotiation, drafting, execution, and terms of the Network Bidding Agreement. Meta will also provide general testimony related to the

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early implementation and operation of the Network Bidding Agreement, including general testimony related to auction timeouts.

- **Texas Deposition Topic No. 11 (Impressions).** Meta will provide general testimony on the origination, development, negotiation, drafting, execution, and terms of the Network Bidding Agreement. Meta will also provide general testimony related to the early implementation and operation of the Network Bidding Agreement, including general testimony related to fraud or spam.

- **Texas Deposition Topic Nos. 12, 19 (Match Rate)**. Meta will provide general testimony on the origination, development, negotiation, drafting, execution, and terms of the Network Bidding Agreement. Meta will also provide general testimony related to the early implementation and operation of the Network Bidding Agreement, including general testimony related to match rates.

- **Texas Deposition Topic No. 13 (Data Access)**. Meta will provide general testimony on the origination, development, negotiation, drafting, execution, and terms of the Network Bidding Agreement. Meta will also provide general testimony related to the implementation and operation of the Network Bidding Agreement, including general testimony related to how Meta protects its proprietary data.

- **Texas Deposition Topic No. 14 (Google's Efforts to Benefit Itself).** Meta will provide general testimony on its understanding of Google's strategy to benefit from its own ad auctions prior to the execution of the Network Bidding Agreement.

- **Texas Deposition Topic No. 15 (Audience Network).** Meta will provide general testimony on the origination, development, negotiation, drafting, execution, and terms of the Network Bidding Agreement. Meta will also provide general testimony related to the implementation and operation of the Network Bidding Agreement.

- **Texas Deposition Topic Nos. 16, 17, 25 (NBA Pilot Program).** Meta will provide general testimony on the implementation and operation of the Network Bidding Agreement, including testimony relating to the Network Bidding Pilot Program.

- **Texas Deposition Topic No. 18 (Meta's Data).** Meta will provide general testimony on the origination, development, negotiation, drafting, execution, and terms of the Network Bidding Agreement.

- **Texas Deposition Topic Nos. 20, 21, 22 (Effects).** Meta will provide general testimony on the implementation and operation of the Network Bidding Agreement, as well as general testimony on the effects of the Network Bidding Agreement.

- **Texas Deposition Topic No. 25 (Meta's Strategy)**. Meta will provide general testimony on its strategy related to the Network Bidding Agreement.

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- **Texas Deposition Topic No. 29 (Open Bidding).** Meta will provide general testimony on the origination, development, negotiation, drafting, execution, and terms of the Network Bidding Agreement. Meta will also provide general testimony related to the implementation and operation of the Network Bidding Agreement. Meta will provide general testimony on its strategy regarding Header Bidding, as it relates to the Network Bidding Agreement.

- **Texas Deposition Topic No. 30 (Header Bidding).** Meta will provide general testimony on its strategy regarding Header Bidding, as it relates to the Network Bidding Agreement.

- **Texas Deposition Topic No. 32 (Ad Tech Products).** Meta will provide a general overview of its understanding of other Ad Tech Products that relate to display advertising as of May 2024.

- **Texas Deposition Topic Nos. 23, 24, 26, 27, 28 and 33**. Meta will not offer a witness on these Topics for the reasons stated in its April 11, 2024 Responses and Objections.

B.   Google's Deposition Topics

Meta will prepare its designated witness on the following Topics in Google's April 8, 2024 Subpoena to Testify at a Deposition in a Civil Action.

- **Google Deposition Topic No. 1 (TX Subpoena)**. Meta will provide testimony as provided in its responses to Texas's Deposition Topics above.

- **Google Deposition Topic No. 2 (Audience Network)**. Meta objects to this topic as vague, ambiguous, and overbroad and will only offer testimony describing Audience Network's pricing, features, and capabilities.

- **Google Deposition Topic No. 3 (Ad Tech Products)**. Meta objects to this topic as vague as to the time period and will limit its testimony to providing a general overview of Ad Tech Products that relate to display advertising as of May 2024.

- **Google Deposition Topic No. 4 (Publisher Ad Servers and Ad Selling Tools)**. Meta objects to this topic as vague as to the time period and will limit its testimony to providing a general description of Audience Network and its considerations when integrating with other Ad Tech products as of May 2024.

- **Google Deposition Topic No. 5 (Features)**. Meta will provide a description of Audience Network's features and capabilities.

- **Google Deposition Topic No. 7 (Audience Network Rationale)**. Meta will provide a description of Audience Network, including, its general strategy related to Audience Network today, and the origin of Audience Network.

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- **Google Deposition Topic No. 9 (Ad Tech Products)**. Meta will provide a general overview of its understanding of other Ad Tech Products that relate to display advertising as of May 2024.

- **Google Deposition Topic Nos. 6, 8, 10.** Meta objects to these deposition Topics as overly broad, unduly burdensome, and not proportional to the needs of the case. Specifically, these requests are unduly burdensome because they are unrelated to the subject matter of the other 40 requests covered by the Google and Texas notices and are vague as to the time period. It is not reasonable to expect Meta to prepare a witness to cover such broad topics without limitation on such short notice. Further, this fact discovery has been available to Google through other third-party witnesses and from Meta for several months. Despite this, Google waited until two weeks ago to notice these unrelated and expansive topics. Meta will not provide a witness on these three Topics.

Please let us know if you have questions on the limitations outlined above. To the extent you disagree with our objections above, we would be happy to meet and confer. Meta will identify its 30(b)(6) witnesses if we can come to an agreement with both parties on the scope of the witnesses' testimony.

Regards,

s/ E. Kate Patchen
E. Kate Patchen